

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, November 16, 2010, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman Valerie Joh

Alderman Charles K. Marsh, Jr.

Alderman Larry A. Munsey

Alderman Tom C. Parham

City Administration

John G. Campbell, City Manager

Attorney Joe May standing in for J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Ms. Barbara Brown.
- II.B. **INVOCATION:** By Mitch Whisnant, Assistant Minister – First Baptist Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Vice-Mayor Benjamin K. Mallicote and Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Mayor Phillips recognized Commissioner Thompson as well as Attorney May. Ms. Barbara Brown also presented to Board members a copy of two drawings by James Andrews who was an engineer at Eastman. Mayor Phillips also noted Commissioner Mo Brotherton who joined the meeting after Item VI.AA.3.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Joh/Parham, to approve minutes for the following meetings:

A. November 1, 2010 Regular Work Session

B. November 2, 2010 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Approve/ Amend Zoning of the Colonial Heights Road – Slaughter Farm and Consideration of a Resolution Adopting the Plan of Services** (AF: 347-2010). This item was deferred at the request of City Manager Campbell for two months until the Capital Improvement Plan is finalized. Alderman Marsh questioned why this was coming before

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the Board since the Planning Commission did not recommend it. Mr. Campbell stated it was at the request of the property owner to pursue further consideration from the Board.

**PUBLIC COMMENT ON ITEM VI.AA.1.** None.

Deferred:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS ROAD - SLAUGHTER ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Deferred:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG COLONIAL HEIGHTS ROAD TO R-1B, SINGLE FAMILY RESIDENTIAL DISTRICT, AND R-3, LOW DENSITY APARTMENT DISTRICT IN THE 14<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Deferred:

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS ROAD – SLAUGHTER FARM ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

**2. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Warrior Falls 2010 – Section A Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 358-2010).** City Planner Jason Meredith presented this item noting this was a city-initiated annexation. Mr. Meredith highlighted school impact and the average savings to the property owners. The Planning Commission voted unanimously in favor of this annexation with only one citizen in opposition at the meeting. Since then, Mr. Meredith stated the Planning Department has received three phone calls in opposition (two from Section A and one from Section B).

**PUBLIC COMMENT ON ITEM VI.AA.2.** Peggy Callison, 112 Warrior Falls Drive, spoke in opposition to this annexation. She listed several questions and concerns regarding the plan of services, insurance savings discrepancies and the conflict of city ordinances versus rules of the Homeowner's Association.

Ken Weakley, 455 Arrowhead Drive, presented basic questions regarding sidewalk implementation and property taxes. He is President of the Homeowner's Association.

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Tony Melson, 504 Pueblo Drive, is Vice-President of the Homeowner's Association and spoke in representation of the Warrior Falls neighborhood. He stated that the majority of the residents are not in opposition to the annexation and understand the benefits. He stated their main issue was several unanswered questions. He asked the Board to send a representative to come speak to the residents and provide more information.

Mayor Phillips requested City Staff to hold a neighborhood meeting before the final adoption reading. Alderman Munsey agreed that this was too far along in the process for questions like these to be surfacing.

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 7<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE WARRIOR FALLS 2010- SECTION A ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE THE WARRIOR FALLS 2010- SECTION A PROPERTY TO R-1B, RESIDENTIAL DISTRICT IN THE 7<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

**Resolution No. 2011-109**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE WARRIOR FALLS 2010- SECTION A ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

**3. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Warrior Falls 2010 – Section B Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 359-2010).** See Item VI.AA.2. Alderman Marsh pointed out that this annexation fills in the boundaries of the entire Warrior Falls Development.

**PUBLIC COMMENT ON ITEM VI.AA.3.** None.

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT,

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EMBRACING THAT CERTAIN PART OF THE 7<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE WARRIOR FALLS 2010- SECTION B ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE THE WARRIOR FALLS 2010- SECTION B PROPERTY TO R-1B, RESIDENTIAL DISTRICT IN THE 7<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Joh/Parham, to pass:

**Resolution No. 2011-110**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE WARRIOR FALLS 2010 – SECTION B ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

**4. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the State Line Baptist Annexation and Consideration of a Resolution Adopting the Plan of Services** (AF: 360-2010). City Planner Jason Meredith presented this item, noting this was an owner-petitioned annexation that would allow the church (which is inside the City) to build a picnic area on the property which currently does not meet the county setback requirements. The Planning Commission voted unanimously in favor to recommend this annexation and there has been no opposition.

**PUBLIC COMMENT ON ITEM VI.AA.3.** None.

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 12<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE STATE LINE BAPTIST ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE THE STATE LINE BAPTIST PROPERTY TO R-1B, RESIDENTIAL DISTRICT IN

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THE 12<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

**Resolution No. 2011-111, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE STATE LINE BAPTIST ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE**

Passed: All present voting "aye."

**5. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 2 Part A Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 366-2010).** City Planner Ken Weems gave a presentation on this item that highlighted the impact to the school system as well as to the property owners affected. The Planning Commission voted unanimously to send a favorable recommendation to the Board. The only opposition received was from two residents who attended the Planning Commission meeting and one phone call since then. Alderman Parham asked if there had been a neighborhood meeting and Mr. Weems responded that letters of information had been sent to all residents providing information and the date of the Planning Commission meeting.

**PUBLIC COMMENT ON ITEM VI.AA.3.** None.

Motion/Second: Parham/Marsh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 2 PART A ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG WIDNER DRIVE, MEADOW LANE, AND MEADOW LANE EXTENSION TO R-1B, RESIDENTIAL DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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Motion/Second: Parham/Joh, to pass:

**Resolution No. 2011-112**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 2 PART A ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

**6. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 2 Part B Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 367-2010).** See Item VI.AA.5.

**PUBLIC COMMENT ON ITEM VI.AA.3.** None.

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 2 PART B ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG JULIP DRIVE, UPLAND DRIVE, SUMMER HILLS COURT, AND SPRING LANE TO R-1B, RESIDENTIAL DISTRICT, AND R-3, LOW DENSITY APARTMENT DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

**Resolution No. 2011-113**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 2 PART B ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

**7. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 2 Part C Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 368-2010).** See Item VI.AA.5.

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**PUBLIC COMMENT ON ITEM VI.AA.3.** Angie Hyché, 1909 Buckingham Court, voiced concerns regarding the impact of adding more children into the City School System. As President of the Parent Teachers Association at Robinson Middle School she stated several parents are worried about issues that include education quality, budget sources and equalizing standards into the annexed county schools. City Manager Campbell responded that there had been regular meetings with the School Board during each annexation. Mayor Phillips pointed out that state law regulates student ratios that must be adhered to no matter how many children are annexed. Alderman Parham agreed that both city and county school superintendents are working together and that students will come first. Alderman Joh emphasized the quality of education will not go down.

Mayor Phillips added that all comments are taken into consideration and appreciated and that there has been no other time where the City and County Schools, along with the Board of Mayor and Alderman have worked together more.

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 2 PART C ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG MEADOW LANE, SIR ECHO DRIVE, GARMON DRIVE, HARDING ROAD, HARDING DRIVE, AND RED OAK LANE TO R-1B, RESIDENTIAL DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/Joh, to pass:

**Resolution No. 2011-114,** A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 2 PART C ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

**A. PUBLIC COMMENT.** Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.



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Public Works Director Ryan McReynolds wanted to address the changes to the garbage and recycle pick-up schedule next week due to the Thanksgiving Holiday. Monday pick-up will include Monday and Tuesday routes, Tuesday pick-up will include Wednesday routes and Wednesday pick-up will include Thursday and Friday routes. There will be no garbage or recycle pick-up on Thursday and Friday.

**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Consideration of a Budget Ordinance to Appropriate Funds Received from the Edward Byrne Memorial Justice Grant Program from the Tennessee Department of Finance and Administration Office of Criminal Justice Programs (AF: 372-2010).**

Motion/Second: Munsey/Marsh, to pass:

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE PROGRAM FOR THE YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**2. Consideration of a Resolution Authorizing the Mayor to Enter into a Loan Agreement with the State of Tennessee for the Energy Efficient Schools Initiative and an Ordinance to Appropriate Funds (AF: 353-2010).** City Manager Campbell and Russ Nelson answered questions for the Board regarding this item. Alderman Marsh was concerned with adding \$5 million to the debt the City already has. Mayor Phillips stated that the City would also be saving \$7 million without any increase in utility rate. Mr. Campbell clarified these savings in energy and, specifically, operational costs, which would have been spent in maintenance and capital dollars anyway during this 12 year period.

Motion/Second: Joh/Parham, to pass:

**Resolution No. 2011-115, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOAN AGREEMENT WITH THE STATE OF TENNESSEE FOR THE ENERGY EFFICIENT SCHOOLS INITIATIVE AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LOAN AGREEMENT**

Passed: All present voting "aye."

NOTE: Alderman Marsh abstained from voting on this item.

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET FOR THE SCHOOLS ENERGY EFFICIENCY PROJECT (GP1102); AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye"

NOTE: Alderman Marsh abstained from voting on this item.



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**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. NONE.**

**D. OTHER BUSINESS.**

**1. Consideration of a Resolution Awarding the Bid for Church View Drive Area Sanitary Sewer Facilities and Waterline Improvements and Authorize the Mayor to Sign All Documents (AF: 361-2010).**

Motion/Second: Marsh/Parham, to pass:

**Resolution No. 2011-116, A RESOLUTION AWARDED THE BID FOR THE CHURCH VIEW DRIVE SANITARY SEWER FACILITIES AND WATERLINE IMPROVEMENTS TO MERKEL BROTHERS CONSTRUCTION, AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT**

Passed: All present voting "aye."

**2. Consideration of a Resolution Extending the Award of the Bid for the Purchase of Rental Uniform Services to Aramark Uniform Services (AF: 362-2010).**

Motion/Second: Munsey/Parham, to pass:

**Resolution No. 2011-117, A RESOLUTION EXTENDING THE AWARD OF BID FOR THE PURCHASE OF RENTAL UNIFORM SERVICES TO ARAMARK UNIFORM SERVICES**

Passed: All present voting "aye."

**3. Consideration of a Resolution Approving an Application for and Receipt of a Library Services and Technology Act (LSTA) Grant to Purchase Technology Equipment and Devices and Authorize the Mayor to Execute All Documents and Agreements for the Same (AF: 357-2010).** Mayor Phillips mentioned it would be nice to have a list of all the donations provided for grant matching money, such as for the Library, Allendale and Bays Mountain.

Motion/Second: Joh/Parham, to pass:

**Resolution No. 2011-118, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A LIBRARY SERVICES AND TECHNOLOGY ACT GRANT FOR THE PURCHASE OF TECHNOLOGY EQUIPMENT AND DEVICES**

Passed: All present voting "aye."

**4. Consideration of a Resolution Authorizing the Execution of Contract Amendment 1 to the Safe Routes to School Agreement Number 090056 with the State of Tennessee Department of Transportation to Extend the Project Completion Deadline and Authorizing the Mayor to Sign All Applicable Documents (AF: 363-2010).** City Manager Campbell stated this would allow the work at

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Roosevelt and Kennedy Elementary Schools to be completed after the end of the school year.

Motion/Second: Joh/Munsey, to pass:

**Resolution No. 2011-119**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CONTRACT AMENDMENT 1 TO THE SAFE ROUTES TO SCHOOL AGREEMENT NUMBER 090056 WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION TO AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT TO THE AGREEMENT

Passed: All present voting "aye."

**5. Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute All Documents Necessary for the Acquisition of 3820 Memorial Boulevard (AF: 365-2010).** City Manager Campbell gave details on this item noting the City's need for a second ladder truck for the Fire Department. Station 3 is the chosen site for the new ladder company and one piece of property has already been acquired, however, an additional 30-40 feet is need to accommodate this vehicle. The property owner would only agree to sell for appraisal price if the City bought the entire property which includes a house and some apartments. Alderman Joh stated the City would get the money back by tearing down the apartments and combining that property with the other parcel we no longer require. Mr. Campbell clarified staffing issues for the ladder company to Alderman Munsey.

Motion/Second: Joh/Marsh, to pass:

**Resolution No. 2011-120**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR THE PURCHASE OF PROPERTY LOCATED AT 3820 MEMORIAL BOULEVARD

Passed: All present voting "aye."

**6. Consideration of a Resolution Ratifying the Mayor's Signature and Executing All Documents Necessary and Proper to Apply for and Receive an Arts Grant from the East Tennessee Foundation to Benefit the Carousel Project (AF: 370-2010).**

Motion/Second: Joh/Parham, to pass:

**Resolution No. 2011-121**, A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ARTS GRANT FROM THE EAST TENNESSEE FOUNDATION

Passed: All present voting "aye."

**7. Consideration of a Resolution Authorizing the Mayor to Sign a Facility Service Agreement and a Memorandum of Understanding with Generations on Line and the City of Kingsport (AF: 371-2010).**

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Motion/Second: Munsey/Parham, to pass:

**Resolution No. 2011-122**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FACILITY SERVICE AGREEMENT WITH GENERATIONS ONLINE AND A MEMORANDUM OF UNDERSTANDING WITH FIRST TENNESSEE HUMAN RESOURCE AGENCY FOR USE IN THE KINGSPORT SENIOR CENTER

Passed: All present voting "aye."

**8. Consideration of a Resolution Authorizing the Execution of Contract Amendment 1 to the Safe Routes to School Agreement Number 100189 with the State of Tennessee Department of Transportation to Include Federal Funding Accountability Act Language and Authorizing the Mayor to Sign All Applicable Documents (AF: 364-2010).** City Manager Campbell noted this was the project at Jackson Elementary School.

Motion/Second: Parham/Marsh, to pass:

**Resolution No. 2011-123**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CONTRACT AMENDMENT 1 TO THE SAFE ROUTES TO SCHOOL AGREEMENT NUMBER 100189 WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT TO THE AGREEMENT

Passed: All present voting "aye."

**9. Consideration of a Resolution Authorizing the Mayor to Enter into a Guaranteed Energy Savings Performance Contract with Energy Systems Group, LLC (AF: 354-2010).** See Item VI.B.2.

Motion/Second: Joh/Parham, to pass:

**Resolution No. 2011-124**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GUARANTEED ENERGY SAVINGS PERFORMANCE CONTRACT WITH ENERGY SYSTEMS GROUP, LLC FOR USE IN THE KINGSPORT CITY SCHOOLS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

**10. Consideration of a Resolution Calling on our Federal Legislators to Protect and/or Restore Federal Mass Transit Operating Funding Jeopardized by the Proposed Agglomeration of the Kingsport and Johnson City Urban Areas (AF: 373-2010).** Community and Government Relations Director Tim Whaley gave details on this item discussing the possible impacts of merging the Johnson City and Kingsport urban areas as proposed by the Census Bureau. He stated the City will not initially oppose the agglomeration as a whole, but would ask to limit the scope to transit. Mayor Phillips stated the bottom line is the City requests the Kingsport Area Transit System operating funds not to be transferred to capital use only. Alderman Marsh suggested possibly combining the school and public transit system like Johnson City. Mayor Phillips noted he had received complaints about speeding school buses.

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Motion/Second: Munsey/Joh, to pass:

**Resolution No. 2011-125**, A RESOLUTION CALLING ON OUR FEDERAL LEGISLATORS TO PROTECT AND/OR RESTORE FEDERAL MASS TRANSIT OPERATING FUNDING JEOPARDIZED BY THE PROPOSED AGGLOMERATION OF THE KINGSFORT AND JOHNSON CITY URBAN AREAS

Passed: All present voting "aye."

**11. Consideration of a Resolution Authorizing the Mayor to Execute an Interlocal Agreement with Sullivan County and Bluff City for Animal Control and Operation of Animal Shelters** (AF: 374-2010). City Manager Campbell noted the adjustment was to add Bluff City to the agreement. He also stated that the door is still open to Bristol.

Motion/Second: Munsey/Parham, to pass:

**Resolution No. 2011-126**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH SULLIVAN COUNTY AND BLUFF CITY, TENNESSEE FOR THE FORMATION OF A NOT FOR PROFIT CORPORATION TO PROVIDE ANIMAL CONTROL AND MAINTAIN AND OPERATE ANIMAL SHELTER IN SULLIVAN COUNTY, TENNESSEE; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**E. APPOINTMENTS/REAPPOINTMENTS.** None.

**VII. CONSENT AGENDA.**

**Consent Agenda items are considered under one motion.**

Motion/Second: Joh/Parham, to adopt:

**1. Consideration of an Ordinance to Amend the FY 2011 General Purpose School Fund Budget** (AF: 343-2010).

Adopt:

**Ordinance No. 6033**, AN ORDINANCE TO AMEND THE FY 2011 GENERAL PURPOSE SCHOOL FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Marsh, Munsey, Parham, and Phillips voting "aye."

**2. Consideration of an Ordinance to Appropriate the Funds to Enter into a Materials Agreement with Danny Karst Related to Edinburgh Phase 2 Section 2** (AF: 351-2010).

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Adopt:

**Ordinance No. 6034**, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE II SECTION II MATERIALS AGREEMENT PROJECTS (WA1172 AND SW1172); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Marsh, Munsey, Parham, and Phillips voting "aye."

**3. Consideration of Approval for Additional Holiday Time at Christmas for City Employees (AF: 356-2010).**

Approve:

DECEMBER 23, 2010 AS ADDITIONAL CHRISTMAS HOLIDAY TIME FOR CITY EMPLOYEES

Passed on first reading in a roll call vote: Joh, Marsh, Munsey, Parham, and Phillips voting "aye."

**VIII. COMMUNICATIONS.**

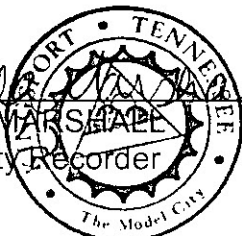
**A. CITY MANAGER.** City Manager Campbell stated that Jim Barker, President of Clemson University, will be the Grand Marshall for the Christmas Parade. Mr. Barker is a 1965 graduate of Dobyns-Bennett High School.


**B. MAYOR AND BOARD MEMBERS.** Alderman Joh mentioned the 1<sup>st</sup> carousel horse had been finished this week. Four more are being done here in Kingsport and others have been contracted out to, hopefully, have a total of 30 animals. Alderman Marsh commented on the Interstate 81 Corridor Coalition meeting he had recently attended and noted the dangers of having too many trucks on the roadways. Alderman Parham noted he had heard many compliments towards the Board and City Staff and their responsiveness to citizens regarding downtown. Mayor Phillips spoke of the annual United Way meeting held this week and noted this year marked the most donations that Kingsport employees had ever contributed.

**C. VISITORS.** Ms. Barbara Brown made favorable comments to the Board and also noted the Santa Train would be stopping here Saturday at 3:08 p.m.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:55 p.m.

  
ANGELA MARSH  
Deputy City Recorder



  
DENNIS R. PHILLIPS  
Mayor